

1 weeks, six weeks, something like that.

2 Q When you got the job as program manager in  
3 Baltimore, is that a job that had been posted for general  
4 application?

5 A As far as I know, that was a job that there were  
6 already people involved in it and when we took over the  
7 company, whenever that was in '86, we laid off a lot of those  
8 people because of the inefficiencies that existed.

9 Q And your dad gave you the job.

10 A Dad gave me the job. That's correct.

11 Q You weren't interviewed formally for that job --

12 A Pardon me? I'm sorry.

13 Q You weren't formally interviewed for that job, were  
14 you?

15 A Was I formally -- yeah. My father interviewed me  
16 and so did Fred Himes.

17 Q Did they interview anybody else?

18 A I don't know.

19 Q And at that time, you were just out of college with  
20 no experience other than the -- what you've told us about. Is  
21 that correct?

22 A No what kind of experience?

23 Q No broadcasting experience, working for anybody  
24 other than at your family's stations as you've testified.

25 MR. LEADER: I'm going to object there because we're

1 here to find out what kind of broadcast experience he has and  
2 he's testified he's been in stations since he was eleven or  
3 twelve. Now, if he wants to ask him whether his first paid  
4 job was with his father, that's one thing. If he wants to say  
5 that he was hired right out of college and he didn't have any  
6 broadcast experience, I don't think the record shows that.

7 JUDGE SIPPEL: Well, he's going at it, essentially  
8 seeking some of the same information you're talking about, Mr.  
9 Leader. He's just doing it in his way and the witness is not  
10 having any -- doesn't seem to be having problems understanding  
11 the questions. I'm going to overrule the objection. Go  
12 ahead.

13 MR. GREENEBAUM: Can you answer the question,  
14 please?

15 MR. R. SMITH: Could you say that again, please?

16 MR. GREENEBAUM: Could you give him the question,  
17 please?

18 JUDGE SIPPEL: Can we get that question back?  
19 (Whereupon, a portion of the record was played  
20 back.)

21 JUDGE SIPPEL: We're back on and he's going to  
22 rephrase.

23 BY MR. GREENEBAUM:

24 Q At the time you got the job as program manager at  
25 Baltimore upon your graduation from college, you had not

1 worked as a program manager for any station anywhere at any  
2 time under any circumstances, had you, sir?

3 A That's correct.

4 Q And the only jobs you had had, had been the jobs you  
5 told us about working for members of your family. Is that  
6 correct?

7 A That's correct.

8 Q Now, where's that chart? I want to hand you what's  
9 been marked Exhibit 27 for identification. Do you see that?

10 A Yes.

11 Q That's a chart that was admitted into evidence --

12 JUDGE SIPPEL: It hasn't been received yet, but I --  
13 if your motion is still pending, I'm prepared to receive it  
14 now.

15 MR. GREENEBAUM: I'm sorry. I thought it was. I  
16 would move it into evidence, Your Honor.

17 JUDGE SIPPEL: I'll -- is there an objection other  
18 than what you've already stated?

19 MR. LEADER: Other than what I've already stated,  
20 no.

21 JUDGE SIPPEL: I'm going to receive it into evidence  
22 at this time and the reason I deferred on it was because I  
23 wanted to have Mr. David Smith have an opportunity to go over  
24 a lot of these areas to insure that there wasn't anything that  
25 was defective with it that would concern me. It's received

1 into evidence as Number 27.

2 (Whereupon, the document referred  
3 to as Scripps Howard Exhibit No. 27  
4 was received into evidence.)

5 JUDGE SIPPEL: You may proceed, Mr. Greenebaum.

6 MR. GREENEBAUM: Your Honor, I need to know whether  
7 or not the witness has a copy with the corrections that we  
8 made. Could I take a look at it for that purpose?

9 JUDGE SIPPEL: You may approach the witness.  
10 Certainly. Any objection, Mr. Leader?

11 MR. LEADER: Not at all.

12 MR. GREENEBAUM: It appears that his copy has been  
13 conformed, Your Honor.

14 JUDGE SIPPEL: Thank you.

15 BY MR. GREENEBAUM:

16 Q Mr. Smith, we worked on this chart with your  
17 brother, David, this morning and corrected it, tried to make  
18 it as accurate as we could and I'd like you to look at it and  
19 I'll tell you the changes that we made. On the bottom, right-  
20 hand corner, we added Gerstell Development Limited Partnership  
21 under the Keyser Communication, Keyser Investments, and  
22 Cunningham Communication boxes. Do you see that, sir?

23 A Yes.

24 Q Are you writing on the chart?

25 A Well, you -- yes.

1 Q Well, that's in evidence and if you write on it -- I  
2 think that we better --

3 A I'm sorry. You didn't -- it's not written down here  
4 correctly. It says Gerstell Development, but the actual name  
5 is Gerstell Development Limited Partnership.

6 Q Your brother wrote that.

7 A I know. I recognize his writing. I figured I could  
8 write on it, too, to make it right.

9 JUDGE SIPPEL: Is this -- was this taken from the  
10 reporter or is it just your copy?

11 MR. GREENEBAUM: That is the copy that was there. I  
12 think that's brother's. That was the witness' copy.

13 MR. R. SMITH: It was sitting up here when I took  
14 the stand.

15 JUDGE SIPPEL: The witness' copy, all right. Well,  
16 you have two copies here for the record. Isn't that correct?

17 COURT REPORTER: That's right.

18 BY MR. GREENEBAUM:

19 Q Please don't write on it and I will ask you if you  
20 want to make any changes because I want to get your version as  
21 well. I want to make sure we're all in agreement that the  
22 chart is accurate so the record will reflect that. Now, your  
23 brother also corrected the percentages of the stock ownership  
24 of Bay Television which I think you have done today earlier as  
25 well. Is that correct?

1           A     That's correct.

2           Q     And your brothers indicated to us that within the  
3 last few days or so, the F.C.C. has approved the deletion of  
4 Commercial Radio Institute which is listed under Sinclair  
5 Broadcast Group. Do you see that?

6           A     Yes.

7           Q     Does that square with your recollection as well,  
8 sir?

9           A     That's square.

10          Q     And we have called this Smith Brothers' Business  
11 Holdings and there's no magic to that name. If you have a  
12 better name, we'll be glad to have it, but we just had to give  
13 the chart a name. Is that acceptable for this purpose at this  
14 time with you?

15          A     For this purpose at this time, that's fine.

16          Q     Do you see anything on the chart in addition to what  
17 we have discussed which is inaccurate or which you would like  
18 to clarify in any way to avoid any possible misunderstanding  
19 down the road under any circumstances?

20          A     (No response.)

21          Q     Now, you indicated --

22                 JUDGE SIPPEL: Wait. He hasn't responded.

23                 MR. GREENEBAUM: I'm sorry.

24                 JUDGE SIPPEL: Let's go off the record until he  
25 finishes this.

1 (Off the record.)

2 (On the record.)

3 JUDGE SIPPEL: We're on the record.

4 MR. GREENEBAUM: May I approach the reporter?

5 Because I want to make sure -- I believe the Court's copy has  
6 the correct name on it and I want to make sure he understands  
7 that for Gerstell.

8 JUDGE SIPPEL: For Gerstell? You can check with the  
9 reporter.

10 MR. GREENEBAUM: Thank you, Your Honor. It does.

11 JUDGE SIPPEL: It does?

12 MR. LEADER: Yes.

13 MR. GREENEBAUM: We made that change before we  
14 handed it up and corrected it.

15 JUDGE SIPPEL: That's my recollection, too.

16 BY MR. GREENEBAUM:

17 Q Mr. Smith, for your information, I'll alert you to  
18 the fact that the exhibit which has been admitted into  
19 evidence gives the full name for Gerstell as Gerstell  
20 Development Limited Partnership and that, I take it, is what  
21 you understand the correct name of that entity to be?

22 A Yes.

23 JUDGE SIPPEL: Were you going to comment on  
24 something else with this, Mr. Smith?

25 MR. R. SMITH: Well, just that on my copy it says

1 Gerstell Development, not Gerstell Development Limited  
2 Partnership which is what I started to write.

3 JUDGE SIPPEL: But that's been clarified. Is there  
4 anything else on there that you wanted to raise as a question  
5 or --

6 MR. R. SMITH: No, I don't think so.

7 JUDGE SIPPEL: Next question?

8 BY MR. GREENEBAUM:

9 Q What is the business of Gerstell Development Limited  
10 Partnership?

11 A Gerstell will own real estate.

12 Q Owns real estate?

13 A Uh-huh.

14 Q What real estate does it own?

15 A It'll own real estate in Pittsburgh, a tower.

16 Q Anything else?

17 A I presume the land that goes with that tower.

18 Q When you say you presume, are you guessing or -- I  
19 don't want to cut you off, but I don't want you to guess or  
20 speculate either.

21 A The land that goes with the tower.

22 Q Anything other than the tower in Pittsburgh and the  
23 land?

24 A I don't think so.

25 Q Is that one tower?



1 A Actually, there might be two of them under that.

2 Q Do you recall?

3 A Not specifically, no.

4 Q Anything other than one tower or possibly two towers  
5 and the land under it that you can recall as being --

6 A No.

7 Q You have to let me finish the question. As being  
8 owned or operated by Gerstell Development Limited Partnership?

9 A No.

10 Q And who is the managing partner or the general  
11 partner of Gerstell Development Limited Partnership?

12 A The managing partner? That's us. I think David's  
13 the limited -- or the general partner.

14 Q When you say "that's us," that means you all manage  
15 it together in some way?

16 A Well, there's not much to manage.

17 Q Well, what is that you --

18 A But that's correct.

19 Q It's correct that you all do it together?

20 A Correct.

21 Q And what is your interest in Gerstell Limited  
22 Partnership if any?

23 A My interest?

24 MR. LEADER: Does he mean ownership interest? I'm  
25 just curious what he means by interest.

1 JUDGE SIPPEL: Rephrase the question.  
2 BY MR. GREENEBAUM:  
3 Q Are you a limited partner?  
4 A Yes.  
5 Q Is there only one general partner?  
6 A I believe David is the general partner, sole general  
7 partner.  
8 Q And what is your partnership percentage interest as  
9 a limited partner?  
10 A I believe it's 25 percent.  
11 Q And who are the other limited partners?  
12 A My brothers.  
13 Q And what are their names and their respective  
14 interests?  
15 A Fred and Duncan. I believe it's 25 percent.  
16 Q So it's you, Fred and Duncan each have 25 percent?  
17 And how about --  
18 A I think that's correct, yeah.  
19 Q And how about David? Does he have a limited  
20 partnership interest as well as his general partnership  
21 interests?  
22 A To tell you the truth, I don't know how it's  
23 structured --  
24 Q So you don't know.  
25 A -- for him. No.

1           Q     And as a limited partner, what participation, if  
2 any, do you have in the management of Gerstell Development  
3 Limited Partnership?

4           A     It'll be similar to our other corporations where  
5 it's a management by committee scenario.

6           Q     So when and under what circumstances do you all  
7 discuss the business of Gerstell Development Limited  
8 Partnership?

9           A     Whenever we have to.

10          Q     And do you recall doing that from time to time?

11          A     From time to time.

12          Q     And what do you recall as illustrative of the kind  
13 of business decisions or discussions that have taken place  
14 between you and your partners including your brother who is  
15 the general partner, David?

16          A     Just general discussions on the tower and whatever  
17 we happened to be talking about that day. I can't remember a  
18 specific conversation or any specific agenda.

19          Q     But you do recall talking about it from time to  
20 time.

21          A     Sure.

22          Q     And these are serious business matters?

23          A     Pardon me?

24          Q     These are serious business matters?

25          A     As opposed to unserious business matters?

1 Q Yeah, or casual conversation.

2 A Well, I tried to explain that it is just general  
3 conversation. That is not -- there's no agenda. We'll just  
4 be talking about an issue while we're sitting in a room like  
5 this.

6 Q Because you all don't have agendas period, do you,  
7 that are written out and discussed?

8 A We have agendas when we have a board meeting once a  
9 year, if we have a board meeting.

10 Q And do all of your companies, as far as you know,  
11 meet every year in that formal board meeting?

12 A They're supposed to, yeah.

13 Q And those board meetings are reflected by minutes,  
14 so far as you know?

15 A Yes.

16 Q Did Four Jacks have a board meeting in 1992?

17 A I don't recall.

18 Q Did you ever see any minutes reflecting any meeting  
19 of Four Jacks at any time under any circumstances?

20 A No.

21 Q How much time did you devote -- how much time, if  
22 any, did you devote to the business of Gerstell Development  
23 Limited Partnership in 1992?

24 A Very little.

25 Q What do you mean by "very little"?

1           A     Did you say '92?

2           Q     '92 or '93 or '91, any year you want to give it to  
3 me. I'm trying to just get a fair feel for how much time it  
4 takes you in connection with this particular entity.

5           A     I couldn't say more than a couple hours a month.

6           Q     I may have misled you or the record. Gerstell was  
7 just formed in 1993, wasn't it?

8           A     That's why I was wondering what you were going to  
9 '92 for.

10          Q     If you don't understand my question, please tell me  
11 because we want the record to be right and don't hesitate to  
12 --

13          A     Very little time at all. Maybe a couple of hours a  
14 month, just in conversations with my brothers on what's going  
15 on.

16          Q     So you spend a couple of hours a month with your  
17 brothers talking about it.

18          A     At the most.

19          Q     When did you last talk about anything involving  
20 Gerstell with any of your brothers -- either of your brothers?

21          A     I couldn't give you a specific date or time.

22          Q     Can you tell me what you talked about?

23          A     No. Like I said, they're just general discussions  
24 of, you know, what's going on, how's the tower situation.

25          Q     What was the issue with the tower?

1           A     What was the issue with the tower? I don't remember  
2 any specific issue, but because --

3                   JUDGE SIPPEL: Mr. Leader?

4                   MR. LEADER: Well, I was going to object to the  
5 relevancy of the tower in Pittsburgh, but he's answer the  
6 question.

7                   JUDGE SIPPEL: Well, are we almost finished with  
8 Gerstell?

9                   MR. GREENEBAUM: Yes.

10                  BY MR. GREENEBAUM:

11                 Q     Let me just ask you one last question. Is it fair  
12 to say that you can't tell me any subject matter other than  
13 maybe discussing the tower that you can recall discussing with  
14 your brothers or when you had any such discussion?

15                 A     That's correct.

16                 Q     How about Cunningham Communications? What does that  
17 do?

18                 A     Pardon me?

19                 Q     Let me refer you to Cunningham Communications, just  
20 one up. What is the business of that entity?

21                 A     It owns real estate, a tower in Baltimore.

22                 Q     Does it own anything than a tower in Baltimore?

23                   MR. LEADER: I'm sorry. I didn't hear. Anything  
24 than --

25                   BY MR. GREENEBAUM:

1 Q Does it own anything other than the tower in  
2 Baltimore?

3 A Not to my knowledge.

4 Q So Gerstell owns a tower or maybe two in Pittsburgh  
5 and Cunningham owns -- Cunningham Communications owns a tower  
6 in Baltimore. Is that correct?

7 A That's correct. Actually there's two towers.

8 Q Two towers in Baltimore. Does it own anything other  
9 than two towers in Baltimore?

10 A It might even be three towers.

11 Q It might be three. Anything other than two towers,  
12 might be three towers, in Baltimore?

13 A No. The reason I say might be is because we're in  
14 the process now of taking one down and putting up another one  
15 and I'm not sure what happened to the one that was there.

16 Q And who's responsible for doing that?

17 A For doing what?

18 Q Taking down one tower and putting up another one.

19 A The tower company would be.

20 Q And who would coordinate with the tower company?

21 A Who would coordinate? Whoever needed to coordinate.

22 Q And that's consistent with the way you all operate,  
23 I take it.

24 A That's correct.

25 Q And if the tower company called to your offices,

1 whoever would be there would take the call and deal with it.

2 Is that correct?

3 A That's correct.

4 Q And what is your office, if any, with Cunningham  
5 Communications?

6 A Cunningham, I'm the vice-president and treasurer.

7 Q And what are your duties as vice-president and  
8 treasurer?

9 A What are my duties? Very little duties at all, if  
10 anything. I look at contracts. Perhaps when people want to  
11 rent space on the tower, I will read the contract changes that  
12 they make for our formal contract, approve them to my  
13 brothers, and they'll look at it and do the same.

14 Q So you would talk to all of your brothers before  
15 finalizing anything?

16 A Well, like everything else, it's either a general  
17 discussion or it gets passed from one desk to the other and  
18 you sign off on it.

19 Q And David is the president?

20 A I believe, yeah.

21 Q Does that suggest that he's included in these  
22 decisions as well?

23 A Well, we're all included to the extent we need to be  
24 and want to be.

25 Q Well, is David included in all these decisions?



1 A Everyone's included.

2 Q So everyone has a role in everything.

3 A Everyone has the ability to have a role in

4 everything. That's correct.

5 Q That's a different answer. I don't mean to --

6 A Everybody has a role in everything.

7 Q And how much time do you spend in Cunningham

8 Communications?

9 A I think I answered that. Very little.

10 Q What do you mean by "very little"?

11 A A couple --

12 Q Do you spend an hour a day or an hour a year?

13 A A couple hours a month. It's just a real estate

14 company. We look at a contract on a new client and once they

15 go out, that's about it.

16 Q And to the extent that it owns towers, is there --

17 are there maintenance considerations that have to be

18 considered from time to time?

19 A There's maintenance, painting.

20 Q And how do you arrange for that?

21 A There's certain companies that do that sort of

22 service.

23 Q Who calls them to do it?

24 A I don't remember who called the last time.

25 Q Who makes the decision that, "Gee, we ought to paint

1 the tower" or "We ought to do this or that"?

2 A I think it's -- on the one tower, it's pretty new,  
3 so I don't even know that it needs any maintenance. But this  
4 tower company will come look at it and decide whether it needs  
5 to be done or not.

6 Q Are there contracts for the tower companies to  
7 perform these services?

8 A Well, when the services -- yeah, that's correct.

9 Q And who arranges or looks and executes those, if  
10 anything?

11 A I can tell you that -- it's like everything else. I  
12 have not, but I don't know who did the last time for a  
13 painting or anything.

14 Q And is David active in Cunningham Communications?

15 A Yes.

16 Q And how about Keyser Investments? Is David active  
17 in that as well?

18 A Yes.

19 Q What is his role in Keyser Communications?

20 A Similar to Cunningham and everything else.

21 Q And what is the business of Keyser Communications?

22 A Keyser Communications leases time on -- it's a  
23 company that controls inventory, manages inventory on TV  
24 stations.

25 Q And what do you mean by inventory?

1           A     Commercial time where advertisers place their  
2 advertisements.

3           Q     Time slots?

4           A     No. Just commercial time. In every hour of every  
5 day, there's a certain amount of time allotted for  
6 commercials.

7           Q     And Keyser sells that time?

8           A     It manages that time.

9           Q     So what's the difference between managing it and  
10 selling it?

11          A     I don't know that there is a difference.

12          Q     So it has communication with customers who want on-  
13 air time for commercials. Is that right?

14          A     That's correct.

15          Q     Which requires dealing both with the customer and  
16 with the station. Is that correct?

17          A     With the customer and with the station?

18          Q     Yeah.

19          A     Sure.

20          Q     And that's a contractual function?

21          A     I presume it's contractual.

22          Q     And what is your connection with Keyser  
23 Communications?

24          A     What is my connection?

25          Q     Yeah. You're an officer of that company?

1           A     I don't think so, no.

2           Q     Who's the president of it, if you know?

3           A     Who's the president of Keyser Communications? I

4 don't know.

5           Q     Do you have any ownership interest in it?

6           A     I don't know if we do or not.

7           Q     You.

8           A     I don't remember.

9           Q     How about Cunningham Communications? Do you own any

10 of that?

11          A     Yeah, 25 percent of Cunningham.

12          Q     It's Keyser you don't know about, right?

13          A     I don't recollect.

14          Q     Do you spend any time on the work of Keyser

15 Communications?

16          A     No.

17          Q     Who takes care of that?

18          A     Whoever has to. I have not specifically been

19 assigned or given myself any duties.

20          Q     But if you got a call based on the way you all

21 operate, you'd feel free to do it.

22          A     Sure. I mean, if there's anything that had to be

23 done. I don't know what that would be.

24          Q     And how about Keyser Investments? What is your

25 position, if any, with that company?

1           A     I think I'm vice-president in that, also.

2           Q     Who's the president?

3           A     Probably Dave.

4           Q     And what is the business of Keyser Investments?

5           A     Real estate.

6           Q     Can you tell me what real estate it owns?

7           A     It owns a building in Baltimore.

8           Q     One building in Baltimore?

9           A     Only one, I think. Yeah.

10          Q     Can you describe that building for us a little

11 better?

12          A     How do you want me to describe it?

13          Q     Can you tell me where it is or what it is?

14          A     It's corporate offices and also the offices for Fox

15 45 is the building.

16          Q     When you say corporate offices, which company or

17 companies?

18          A     All of our companies.

19          Q     What is the address of that real estate?

20          A     I think there's two addresses, but the one that's

21 most commonly used is 2000 West 41st Street. I think there's

22 also a 2001 or something, but it's actually the same building.

23          Q     And that's where you and your brothers share an

24 office with desks in the same room?

25          A     That's correct.

1 Q And you all work on whatever comes up as it arises  
2 and discuss it among yourselves.

3 A That's correct.

4 Q And decisions are made in that environment.

5 A That's correct.

6 JUDGE SIPPEL: Let's go off the record.

7 (Off the record.)

8 (On the record.)

9 JUDGE SIPPEL: We're in recess for 15 minutes until  
10 3:00.

11 (Off the record at 2:45 p.m. to reconvene at 3:00  
12 p.m.)

13 JUDGE SIPPEL: We're on the record.

14 MR. GREENEBAUM: I want to just clean up and get off  
15 of these non-communication -- or communication, however you  
16 want to call them, the four boxes here. Let me hand you what  
17 is -- what are we marking this? -- Exhibit 30 for  
18 identification. This is a copy of a Maryland Personal  
19 Property return as of January 1 '93 that we obtained and then  
20 filed in another respect in this proceeding on behalf of -- it  
21 involves Keyser Communications, Inc. I would just ask you to  
22 look at the officers and ask you if that refreshes your  
23 recollection as to Keyser Communications which you told us you  
24 thought you had no involvement in.

25 JUDGE SIPPEL: While he's doing that, I'm going to

1 have the reporter mark this for identification as Scripps  
2 Howard's Number 30.

3 (Whereupon, the document referred  
4 to as Scripps Howard Exhibit No. 30  
5 was marked for identification.)

6 MR. LEADER: Mr. Greenebaum just indicated that Mr.  
7 Smith's prior testimony was that he had no involvement. I  
8 think the question was --

9 MR. GREENEBAUM: I believe he said he wasn't an  
10 officer.

11 MR. GREENEBAUM: And I think that the witness'  
12 testimony was that he could not remember what his involvement  
13 was and there's a difference and I just want the record to be  
14 clear.

15 MR. GREENEBAUM: I believe he said he wasn't an  
16 officer and the record will reflect what the record reflects.

17 JUDGE SIPPEL: Well, yes, that's -- the bottom line  
18 is that the record's going to control what it is. If you feel  
19 that counsel has mischaracterized your earlier testimony, Mr.  
20 Smith, you can clarify it.

21 MR. R. SMITH: I'll just say whatever it is, it is.  
22 Right here it says I'm secretary.

23 BY MR. GREENEBAUM:

24 Q Does that refresh your recollection at all that you  
25 are or were the secretary of Keyser Communications, Inc.?

1 A Yes.

2 Q And what are your duties as secretary now? Do you  
3 recall?

4 A I don't have any duties.

5 Q And how much time do you spend on Keyser  
6 Communications?

7 A None.

8 Q None at all?

9 A None.

10 Q And how about Keyser Investments? How much time do  
11 you spend on that?

12 A None.

13 Q Does that mean your brothers have never spoken to  
14 you about Keyser Communications or Keyser's investors?

15 A Investments? We've spoken about it, but we don't  
16 spend any time in terms of a day to day working to manage.  
17 Those are basically companies that write us checks.

18 Q There is some effort that you're involved in.  
19 You're just can't tell us how much time --

20 A It's so minuscule that I -- you know, you keep  
21 asking me how much time. I can't tell you because it's just  
22 --

23 Q Well, to the extent that --

24 A I think that's negligible --

25 Q To the extent that --



1           A     -- at best.

2           JUDGE SIPPEL: Let him finish.

3           MR. GREENEBAUM: I'm sorry.

4           JUDGE SIPPEL: Are you finished?

5           MR. R. SMITH: There's just no way to put a, you  
6 know, time frame or allocation of hours accurately.

7           BY MR. GREENEBAUM:

8           Q     To the extent that anyone is involved in it -- in  
9 Keyser Communications, who would that be?

10          A     That would be all of us -- I can't speak for the  
11 other guys, but my -- the way we operate is it's the same for  
12 me as it is for them. There's really very little on an  
13 operational way of looking at this thing that we have to do on  
14 a day to day basis. These are companies that we just  
15 basically collects checks on.

16          Q     So from your perspective, your brother David would  
17 spend no more time on Keyser Communications than you would.

18          A     That's correct.

19          Q     And to the extent that he spends time, you would  
20 spend the same amount as he does. Is that correct?

21          A     That's correct.

22          Q     Now, are you an officer of Bay Television?

23          A     Yes.

24          Q     And what is your -- let me strike that for a moment  
25 and go about it a different way. If Your Honor pleases, I'll